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**ATTORNEYS FOR NHENTAI.NET**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PCR DISTRIBUTING CO., a company  
organized under the laws of California,

*Plaintiff*

vs.

JOHN DOES 1-20 d/b/a  
NHENTAI.NET,

*Defendants*

Case No. 2:24-cv-07453-CVD-AJR

**NHENTAI.NET'S REPLY IN  
SUPPORT OF MOTION FOR  
PROTECTIVE ORDER;  
MEMORANDUM OF POINTS AND  
AUTHORITIES**

Date: February 12, 2025; 1:30 p.m.  
Place: Roybal Federal Building and  
United States Courthouse, Courtroom  
780, 7th Floor, 255 E. Temple Street  
Los Angeles, California 90012  
Honorable Judge A. Joel Richlin

1 **MEMORANDUM OF POINTS AND AUTHORITIES IN REPLY**

2 The operators of www.nhentai.net, i.e., the entity that owns www.nhentai.net  
3 (“Nhentai.net”), hereby file this Reply in Support of its Motion for Protective Order  
4 (“Motion”) Dkt. No. 32.

5 The vast majority of Plaintiff’s arguments in opposition to Nhentai.net’s  
6 request for a protective order are completely irrelevant and do not in any way  
7 undercut Nhentai.net’s Motion. Plaintiff cites and discusses factors that relate to  
8 relief not requested by Nhentai.net. Plaintiff repeatedly mentions attempts to seal  
9 court documents and filings and cites cases relating to that. Plaintiff also asserts  
10 concerns about public transparency of the court system. These arguments are not  
11 relevant to Nhentai.net’s Motion pending before the Court. Nhentai.net’s Motion  
12 does not seek to file documents under seal and to the extent that Nhentai.net sought  
13 to seal some future Court filing, it would seek leave as required by the local rules.

14 To be clear, Nhentai.net’s request for a protective order is that the identity of  
15 the entity and the names and other personal information of individuals related to the  
16 entity be held as attorneys’ eyes only for a very short period of time while the Court  
17 considers and rules on Nhentai.net’s motions to dismiss and/or strike.

18 Nhentai.net also does not believe there should be any Court filings during the  
19 timeframe in which the protective order is requested. If there are any required  
20 disclosures or other discovery, for example, such information would simply be  
21 *served* on Plaintiff’s counsel and not *filed* with the Court. The public would not have  
22 access to that information anyway. It is no different than if information was produced  
23 pursuant to a standard protective order in a case, designated with some level of  
24 confidentiality, with a requirement that it be handled accordingly. There can be no  
25 harm to the public by limiting what Plaintiff and its counsel can do with non-public  
26 information. And there is no harm to Plaintiff or its counsel that justifies its vehement  
27 opposition to any restrictions on their use of non-public and sensitive information.

1 Based on what Plaintiff has done to date with information in its possession,  
2 Nhentai.net has real and legitimate concerns about how its information would be  
3 handled even subject to a protective order, given Plaintiff's frivolous filings.

4 Lastly, Plaintiff either misunderstands or misstates the *BWP Media* case cited  
5 by Nhentai.net. *BWP Media USA, Inc. v. Crowdgather, Inc.*, No.  
6 CV1305318GWJEMX, 2014 WL 12601054 (C.D. Cal. July 28, 2014). The plaintiff  
7 in that case sought information by way of a Motion to Compel Defendant To  
8 Disclose Users' Identities for purposes of identifying alleged infringers. *Id.* at \*3.  
9 That is exactly what Plaintiff asserts it intends to do here with identifying  
10 information discovered. And the *BWP Media* court granted protection limited in time  
11 regarding the requested identifying information:

12 [T]he Court GRANTS Plaintiffs' Motion to Compel as to  
13 Interrogatory Nos. 5 and 8 but subject to the proviso that  
14 the identifying information can be used solely for the  
15 purposes of this litigation and, for the time being, is  
16 limited to "attorneys' eyes only." Plaintiffs may use the  
17 identifying information for purposes of discovery and  
depositions to determine whether there is any basis to its  
allegation that posters, particularly "excessive posters,"  
are the employees or agents of Defendant.

18 *Id.* Plaintiff has shown its hand repeatedly in seeking to have no restrictions on use  
19 of any non-public information obtained. *See, e.g.*, Pl.'s Reply Mot. Early Disc. and  
20 Opp'n to Mot. Protective Order 4 n1, Dkt. No. 22. And contrary to Plaintiff's  
21 allegation that the individuals behind the entity are "necessarily connected" to the  
22 alleged infringement (Dkt. No. 37 at 8:16-18), that does not make them proper  
23 parties in this case or their non-public information subject to disclosure. This is  
24 especially true given that Plaintiff's Complaint, and now First Amended Complaint,  
25 include alter ego allegations lodged without any knowledge in support thereof or  
26 good faith basis to assert. *See* Compl. ¶¶ 10, 33, Dkt. No. 1; First Amended Compl.  
27 ¶ 37 at 8:16-18, Dkt. No. 40. This is one example of how Defendant *admits* it will

1 use the information obtained without restriction, i.e., to support baseless claims. Dkt.  
2 No. 37 at 5:1-9. Further, the *Kamakana v. City and Cnty. of Honolulu* case cited by  
3 Plaintiff in opposing a protective order actually dealt with sealing or unsealing Court  
4 filings. 447 F.3d 1172, 1176 (9th Cir. 2006). Again, this is not relevant to the limited  
5 relief Nhentai.net seeks in its Motion. Even if that authority's rationale with respect  
6 to protection of information were applicable to Nhentai.net's Motion, that case also  
7 stated that "'compelling reasons' sufficient to outweigh the public's interest in  
8 disclosure and justify sealing court records exist when such 'court files *might have*  
9 *become a vehicle for improper purposes,*' such as the use of records to gratify  
10 private spite, promote public scandal, circulate libelous statements, or release trade  
11 secrets." *Kamakana*, 447 F.3d at 1179 (quoting *Nixon v. Warner Communications,*  
12 *Inc.*, 435 U.S. 589, 598, 98 S. Ct. 1306, 1312, 55 L. Ed. 2d 570 (1978)) (emphasis  
13 added). The actions already taken in this Court and District by a copyright troll like  
14 Plaintiff with respect to its bogus infringement allegations would be a compelling  
15 reason to restrict its use of non-public, identifying information, at least for the short  
16 timeframe requested. Plaintiff may very well have provided the express permissions  
17 to Nhentai.net to use its allegedly copyrighted materials (as repeatedly shown to the  
18 Court) in an attempt to steal Nhentai.net's entire domain. This would unquestionably  
19 be use of information and of this Court for improper purposes.

20 In conclusion, Nhentai.net respectfully asks the Court to issue a protective  
21 order shielding any identifying and/or non-public information as to Nhentai.net and  
22 or any individuals relating to Nhentai.net as "Confidential Attorneys' Eyes Only"  
23 and not subject to any disclosure until further order of the Court, at least until  
24 issuance of rulings on Nhentai.net's motions to dismiss and/or strike.

25 **DATED:** January 29, 2025

Respectfully submitted,

26 By: /s/ Jennifer M. Rynell

27 John T. Wilson (*Pro Hac Vice*)

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**Attorneys for Nhentai.net**

**L.R. 11-6.2. CERTIFICATE OF COMPLIANCE**

The undersigned counsel of record for Nhentai.net certifies that this brief contains 979 words, which complies with the word limit of L.R. 11-6.1.

/s/ Jennifer M. Rynell

Jennifer M. Rynell

**CERTIFICATE OF SERVICE**

On January 29, 2025, I filed the foregoing document with the clerk of court for the U.S. District Court, Central District of California via CM/ECF. I hereby certify that I thereby have served the document on all counsel and/or pro se parties of record by a manner authorized by Federal Rule of Civil Procedure 5(b)(2) and the Local Rules.

/s/ Jennifer M. Rynell

Jennifer M. Rynell